

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

Plaintiff,

v.

IZZO GROUP, INC. and PASCO IZZO, SR.

Defendants.

Civil Action No.
1:04-CV-11689 (GAO)

**UNOPPOSED MOTION OF UNITED STATES TO
ENTER THE CONSENT DECREE**

On August 2, 2004, a proposed Consent Decree between Plaintiff, the United States of America (“United States”), on behalf of the United States Environmental Protection Agency, and Defendants, Izzo Group, Inc., and Pasco Izzo, Sr. (collectively, the “Settling Defendants”), was lodged with the Court, pursuant to 28 C.F.R. Section 50.7, for public comment. The Consent Decree resolves claims of the United States against the Settling Defendants for cost recovery with respect to the Cohen Property Superfund Site ("Site"), located in the City of Taunton, Massachusetts, under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”). The Consent Decree also resolves the Settling Defendants’ potential contribution claim against the United States, providing for payment of \$2,016,457.00 by the United States, on behalf of the United States Department of Defense, to partially reimburse EPA’s response costs incurred at the Site. The Complaint was filed at the same time that the Consent Decree was lodged with the Court.

Notice of the lodging of the Consent Decree and the opportunity to comment thereon, was published in the Federal Register on August 11, 2004 (69 Fed. Reg. 48,887). The requisite

thirty (30) day public comment period has expired. The United States received no comments during the public comment period. Pursuant to the Consent Decree, the Settling Defendants consent to the entry of this Consent Decree. Consent Decree at ¶ 28.

The United States believes that the Consent Decree is fair, reasonable and in the public interest, and, therefore, the United States respectfully requests that the Court sign the enclosed proposed Order and the Consent Decree, and enter the Decree as a final judgment.

Respectfully submitted,

THOMAS L. SANSONETTI
Assistant Attorney General
Environment and Natural Resources Division

9/28/04
Date

/s Tom Boer
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